

EXTENSIONS OF REMARKS

PRESIDENTIAL AND EXECUTIVE OFFICE ACCOUNTABILITY ACT

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 1996

Mr. MICA. Mr. Speaker, it is appropriate that as one of its last actions this historic 104th Congress will pass the Presidential and Executive Office Accountability Act. In one of its first legislative actions, this Congress took the unprecedented step of making itself subject to the same laws that govern private citizens and businesses. Now, this legislation, which I introduced, will make the White House obey those laws, too.

When the President signs this bill, the last plantation where American civilians toil beyond the reach of some of the basic labor and employment laws imposed on private enterprise will have fallen. As a result of the Congressional Accountability Act and this legislation, the political branches of government will be required to wrestle with the same knotty problems that private businesses face every day. They will face compliance with the same laws and edicts imposed on all Americans.

Make no mistake, Mr. Speaker, the bill we are passing today is not nearly as strong as the bill this House passed by a vote of 410 to 5 on September 24, 1996. It has been watered down in a number of areas, mostly as a result of administration pressure. Unlike Congress and the private sector, the White House will have the option of following the Federal sector version of some of these employment laws. That is, rather than obey the same law as the legislative branch and American businesses, the President may take advantage of special variations of those laws that apply to the executive branch.

Some very important provisions have been stripped altogether. One was a long overdue revision of the definition of "special government employee." These special government employees—who often serve without pay—are subject to conflict-of-interest statutes and financial disclosure requirements. Such checks on the activities of volunteer advisers to the President and White House employees are indispensable for safeguarding the integrity of governmental processes and decisions. Yet ambiguities in existing law were exploited by the Clinton White House and Justice Department to hold that Harry Thomason, whose questionable activities have been documented in the Committee on Government Reform and Oversight's report on the Travelgate scandal, was not a special government employee.

The President needs his personal and confidential advisors, but the American people need to hold such people accountable. Harry Thomason and other political operatives used this White House like a personal office annex. He should have been accountable to the ethics laws, conflict of interest, and other measures that ensure the integrity of the highest offices in the land. These abuses must be stopped.

Mr. Speaker, the bill this House passed on the 24th would have made it clear that such people are to be considered special government employees. Under that bill, they would have been subject to conflict-of-interest rules and financial disclosure requirements. It would have prevented future abuses. But those provisions have been stripped from the bill we will pass today. When the next Congress convenes, I will again introduce legislation to make future Harry Thomasons accountable to the American people.

Another key provision of the House-passed bill that is not found in the version passed by the Senate required the President to appoint a chief financial officer for the Executive Office of the President. The chief financial officer, which is found in other agencies throughout the Government, would review and audit the White House's financial systems and records. The Travelgate, Filegate, and hearings related to other White House scandals highlighted the shortcomings in this White House's financial responsibility.

We will need to strengthen this law during the 105th Congress. During our hearings last year, we learned that the White House's financial operations lacked structure, so we could not achieve accountability. Sometimes, the White House paid for equipment it no longer needed. Other times, it paid for items that were never delivered. These hearings also revealed other egregious examples of waste and abuse because accounting controls were so poor the White House Communications Agency recently had \$14.5 million in unvalidated obligations. The Department of Defense's inspector general reported that the Agency paid only 17 percent of its bills on time, so taxpayers got stuck for penalties and interest on the other 83 percent of its obligations.

The House-passed bill also included provisions, advanced by Government Management, Information, and Technology Subcommittee Chairman Representative STEPHEN HORN and Representative CHARLES BASS, that would have placed an inspector general in the White House. The White House opposed this provision, even though other Government agencies must comply.

If you can believe it, Mr. Speaker, the same people who put a bar bouncer and political trickster in charge of White House personnel security insisted that they do not need to meet the same oversight standards as the rest of the Government. With the gross mismanagement and lack of accountability that we have uncovered in this White House, I can assure you that I will pursue these matters vigorously in the next Congress.

RELOCATION OF THE FEDERAL COMMUNICATIONS COMMISSION

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 1996

Ms. NORTON. Mr. Speaker, I would like to speak in regard to the colloquy between Mr.

LIGHTFOOT and Mr. TOM COBURN concerning the relocation of the Federal Communications Commission into the Portals Building, in Washington DC, and enter into the RECORD a letter from the Administrator of General Services Administration about this issue. In addition to summarizing the court proceedings which ruled that GSA reinstate the space procurement and proceed with the planned move for the FCC into the Portals, the Administrator of GSA details the costs associated with any delay in the move.

ADMINISTRATOR,
GENERAL SERVICES ADMINISTRATION,
Washington, DC, October 7, 1996.

Hon. ROBERT KERREY,
Ranking Minority Member, Subcommittee on
Treasury, Postal Service, and General Govern-
ment, Committee on Appropriations, U.S.
Senate, Washington, DC.

DEAR SENATOR KERREY: I am writing to express my most serious concerns regarding the delay of the consolidation of the Federal Communications Commission (FCC) at the Portals Complex in Washington, DC. This move was the subject of colloquies on the floors of the House and Senate on September 28, 1996, and September 30, 1996, respectively. Because I do not believe the colloquies reflected critical pertinent information, I would like to request that this letter be added to the RECORD. The Court of Federal Claims issued a specific ruling on this matter that was upheld by the U.S. Court of Appeals. Furthermore, a delay of the FCC's relocation will cost the Government over \$19 million annually in rental costs.

It is in the best interest of the Federal Government to consolidate the FCC at the Portals complex for the following reasons:

1. The Federal courts instructed the General Services Administration (GSA) to award a lease at the Portals for the FCC, and GSA has complied with their instructions.

2. GSA signed a 20-year firm-term lease with Portals to consolidate the FCC headquarters. If the FCC is not relocated to Portals, it will cost the Federal Government more than \$19 million annually for each year that the space remains vacant, with no resulting benefits.

3. The FCC is currently located in seven locations in Washington, DC. This has resulted in increased operating costs. Relocation to a consolidated site will eliminate this costly and undesirable condition.

4. The FCC's current space requirements are consistent with their space in the Portals Complex.

5. The Federal Government will pay \$31.99 per rentable square foot (rsf) (\$38.47 per occupiable square foot (osf)) for the FCC lease consolidation. This is below the amount authorized by the Congress (\$32.30 per rsf). In addition, this is at the low end of the rental range in Washington, DC, which is \$29 to \$40 per rsf.¹

¹Note: GSA utilizes two space measurements in lease prospectuses, occupiable and rentable square feet, (osf) and (rsf), respectively. OSF is a national standard for GSA, and is the space which is available for use by an agencies personnel or furnishings excluding hallways, restrooms, and vertical penetrations such as elevators and stairwells. RSF is usually a larger area than osf, and is calculated by measuring from inside wall to inside wall excluding any vertical penetrations.

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